

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Peter HEROLD et al.

Serial No. 10/586,814

Filed July 24, 2006



Confirmation No. 2718

Attorney Docket No. 2006_0979A

Group Art Unit 1626

Examiner Golam M. Shameem

DIAMINO ALCOHOLS AND
THEIR USE AS RENIN INHIBITOR

: **Mail Stop: Amendment**

RESPONSE TO REQUIREMENT FOR RESTRICTION
AND ELECTION OF SPECIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

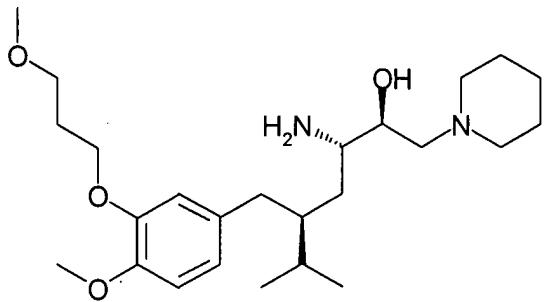
Sir:

This is responsive to the Office Action of January 9, 2009, the time for responding thereto being extended for one month in accordance with a petition for extension submitted concurrently herewith.

Referring to page 3 of the Office Action, the Examiner has required restriction among (I) claims 1-4, 6 and 9-11, (II) claim 5, and (III) claims 7 and 8. Applicants hereby elect the subject matter of Group I, i.e. claims 1-4, 6 and 9-11.

Referring to page 4 of the Office Action, the Examiner has required an election of a single species (compound), in response to which Applicants elect the compound of Example 1 on page 16 of the specification, namely:

3(S)-amino-5(S)-[4-methoxy-3-(3-methoxypropoxy)benzyl]-6-methyl-1-piperidin-1-yl-heptan-2(S)-ol dihydrochloride, of the formula



All of the Group I claims elected in response to the restriction requirement, i.e. claims 1-4, 6 and 9-11 read on the elected species.

Applicants emphasize that the foregoing elections are made while reserving their rights under 35 U.S.C. §121 to file a divisional application for the non-elected subject matter.

Action on the merits is requested.

Respectfully submitted,

Peter HEROLD et al.

By:

Michael R. Davis

Registration No. 25,134

Attorney for Applicants

MRD/pth
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
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